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*Richard F. Lemuth*

Richard F. Lemuth

Date: Nov. 8, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of )  
P. I. CHIPMAN ET AL )  
Serial No. 10/789,052 ) Group Art Unit:  
Filed February 27, 2004 ) Examiner:  
METHOD OF IMPROVING THE ) November 8, 2004  
OPERATION OF A MANUFACTURING )  
PROCESS )

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

PETITION UNDER RULE 1.78

The Applicant hereby requests consideration of this Petition Under Rule 1.78.

The undersigned recently became aware that an amendment inserting a reference to the prior International application and the prior US provisional application has not been requested. The undersigned states that this error was unintentional and that the entire delay in submitting this amendment was unintentional. The Applicant requests that the amendment of the specification in the amendment filed concurrently herewith be accepted.

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The Applicant requests that the \$1,370.00 fee for filing this petition be charged to Shell  
Oil Company Deposit Account 19-1800.

Respectfully submitted,

P. I. CHIPMAN ET AL

By Richard F. Lemuth  
His Attorney, Richard F. Lemuth  
Registration No. 30,081  
(713) 241-3716

P.O. Box 2463  
Houston, TX 77252-2463

**UNITED STATES PATENT & TRADEMARK OFFICE**  
Washington, D.C. 20231

**REQUEST FOR PATENT FEE REFUND**

1 Date of Request: <u>5/13/05</u>		2 Serial/Patent # <u>10/789,052</u>	
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED
<input type="checkbox"/>	Filing		\$
<input type="checkbox"/>	Amendment		\$
<input type="checkbox"/>	Extension of Time		\$
<input type="checkbox"/>	Notice of Appeal/Appeal		\$
<input checked="" type="checkbox"/>	Petition <u>1454</u>	<u>1/12/04</u>	\$ <u>1370.</u>
<input type="checkbox"/>	Issue		\$
<input type="checkbox"/>	Cert of Correction/Terminal Disc.		\$
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		7 TOTAL AMOUNT OF REFUND	<u>\$ 1370.</u>
		8 TO BE REFUNDED BY:	
		Treasury Check	
<input type="checkbox"/>	Overpayment	<input checked="" type="checkbox"/>	Credit Deposit A/C #:
<input type="checkbox"/>	Duplicate Payment	<input type="checkbox"/>	<u>9 1 9 -- 1 8 0 0</u>
<input checked="" type="checkbox"/>	No Fee Due (Explanation):	<i>Petition is dismissed as moot. Petition is unnecessary.</i>	
10 REASON:			
11 REFUND REQUESTED BY:			
TYPED/PRINTED NAME: <u>Irvin Dingle</u>		TITLE: <u>Patent Agent</u>	
SIGNATURE: <u>Irvin Dingle</u>		PHONE: <u>(571) 272-3210</u>	
OFFICE: <u>PTO - LPO</u>		*****	
THIS SPACE RESERVED FOR FINANCE USE ONLY:			
APPROVED: <u>Alisa Kelly</u>		DATE: <u>5/19/05</u>	

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

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